

REMARKS

This responds to the Final Office Action mailed on April 8, 2009 and the Advisory Action mailed June 18, 2009.

Claims 10 and 65 are amended. Claims 10-12 and 53-66 are pending in this application.

§ 103 Rejection of the Claims

Claims 10, 12, 64 and 65 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Tsubota (U.S. Patent No. 5,361,660) in view of Lyon (U.S. Patent No. 2,821,156).

Applicant has amended claim 10 to better describe the subject matter recited in the claim. Applicant believes claim 10 is not obvious in view of the Tsubota and Lyon references since, even if combined, the combination does not include or suggest each limitation recited in the claim. For instance, Applicant cannot find in the cited combination: delivering a lubricant to a lubrication dam extending around a periphery of an upper end of the die hole, and wherein the lubricant is directed to a specified, pre-determined location on the periphery of the open upper end of the die hole by an opening in the lubrication dam at the specified, pre-determined location such that the specified, pre-determined location on the periphery of the open upper end of the die hole has more lubricant than other locations on the periphery of the open upper end of the die hole, as recited in claim 10.

In contrast, the Tsubota reference discusses that “[t]he cutting oil from the oil supply source 23 is mixed with air and is fed in an atomized state in the form of upward intermittent spurts from the pressurized air supply source to the interior of the cylindrical tool die 11, such that it sticks to the lower tool 7.” (Col. 4, lines 13-18). Thus, the Tsubota reference discusses blowing atomized oil to cover the interior of the die. The atomized oil apparently covers the interior and the periphery of the die relatively equally, and is not directed to a specified, pre-determined location on the periphery of the open upper end of the die hole by an opening in the lubrication dam, as recited in claim 10.

In the Lyon reference, lubricant is delivered to the upper portion of the die to annular groove 37 by eight symmetrical passageways 41. (See Fig. 4 and col. 2, line 60 – col. 3, line 2). Thus groove 37 is filled equally all around with lubricant and the lubricant is not directed to a

specified, pre-determined location on the periphery of the open upper end of the die hole by an opening in the lubrication dam.

Claims 12 and 64 include each limitation of their parent claim and are therefore also not obvious in view of the cited references. Reconsideration and allowance is respectfully requested.

Claim 65

Applicant has amended claim 65 to better describe the subject matter recited in the claim. Applicant believes claim 65 is not obvious in view of the Tsubota and Lyon references since, even if combined, the combination does not include or suggest each limitation recited in the claim. For instance, Applicant cannot find in the cited combination: delivering a lubricant to a lubrication dam located at the periphery of the open upper end of the die hole, wherein the lubricant directed to a specified, pre-determined location on the periphery of the open upper end of the die hole by an opening in the lubrication dam where the punch will cut through the aluminum portion of the sheet and such that the specified, pre-determined location on the periphery of the open upper end of the die hole has more lubricant than other locations on the periphery of the open upper end of the die hole, as recited in claim 65.

As discussed above, neither reference includes or suggests such subject matter. Reconsideration and allowance is respectfully requested.

Claims 11 and 66 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Tsubota in view of Lyon as applied to claims 10 and 65 above, and further in view of Clint et al. (U.S. Patent No. 3,288,715, hereafter "Clint").

Claims 11 and 66 include each limitation of their respective parent claims and are not obvious in view of the cited references since the secondary reference does not overcome the deficiencies of the primary references discussed above. Reconsideration and allowance is respectfully requested.

Claim 57 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Tsubota in view of Lyon as applied to claim 10 above, and further in view of 3M, "Fluorinert Electronic Liquid FC-43", May 2000.

Claim 57 includes each limitation of its parent claim and is not obvious in view of the cited references since the secondary reference does not overcome the deficiencies of the primary references discussed above. Reconsideration and allowance is respectfully requested.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's representative at (612) 359-3267 to facilitate prosecution of this application.

If necessary, please charge any additional fees or deficiencies, or credit any overpayments to Deposit Account No. 19-0743.

Respectfully submitted,

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Date August 10, 2009

By 

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 10th day of August, 2009.

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